

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

R. CATHY REARDON, <i>on behalf of herself and all similarly situated individuals,</i>)	
)	No. 2:08-cv-01730
)	Judge Mark R. Hornak
Plaintiff,)	<i>Electronically Filed</i>
)	
v.)	
)	
CLOSETMAID CORPORATION,)	
)	
Defendant.)	

DEFENDANT’S PROPOSED ADDITIONAL VOIR DIRE

Defendant, ClosetMaid Corporation (“ClosetMaid”), by and through its attorneys, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., files these Proposed Additional Voir Dire Questions To Be Asked During *Voir Dire*:

1. Have you, a family member, or friend ever been the subject of a consumer report such as a credit report, criminal record, motor vehicle report that was thought or believed to be wrong, inaccurate, or in error in any way? If yes, explain.
2. Have you, a family member, or friend ever been fired, disciplined, denied a job or promotion, or otherwise suffered an adverse job related action due to circumstances that you thought were unfair or unlawful? If yes, explain.
3. Have you, a family member, or friend ever been fired, disciplined, denied a job or promotion, or otherwise suffered an adverse job related action due to information contained in a consumer report such as a credit report, criminal record, motor vehicle report? If yes, explain.
4. Have you, a family member, or friend ever had your (or their) privacy invaded by a corporation?

5. Have you ever had a dispute with an employer that was not resolved to your satisfaction? If so, please describe the nature of your dispute. If yes, explain.

6. If the evidence justifies it, will you be able to render a verdict for the Defendant just as readily as you could render a verdict for the Plaintiff?

7. Have you ever filed a grievance against your employer? If so, briefly describe the grounds for your grievance.

8. Have you ever filed a complaint of discrimination, harassment, retaliation, or mistreatment through your employer's informal complaint process?

9. Have you ever filed a lawsuit against your employer? If so, please describe the grounds for the lawsuit.

10. Are you a member of a labor union or have you ever been a member in the past?

11. This is a case of individuals against a corporation. Is there anything about the fact that ClosetMaid Corporation is a corporation that would make you more likely to decide in favor of Ms. Reardon and the other individuals whom she represents in this lawsuit?

12. Can you listen to the evidence in this case and decide the case fairly regardless of whether the parties are individuals or corporations?

13. Are you aware that the mere fact that an employment decision seems unfair or unjust does not make it unlawful?

14. Do you disagree with the proposition that an employer may take an employment action for a good reason, a bad reason, a reason based on erroneous facts, or for no reason at all, so long as its decision is not for an unlawful reason? If so, please explain.

15. Have you ever applied for a job with ClosetMaid Corporation? If yes, were you offered a job?

16. Have you ever purchased any products manufactured by ClosetMaid Corporation that you were dissatisfied with?

17. Do you now or have you ever had a job in which you were involved in the hiring or firing decision-making process? If so, please describe your involvement.

18. Do you have any particular training or experience in personnel matters, human resources, labor relations, civil rights or recruiting? If so, please fully explain the extent of your knowledge in these fields.

19. Are you presently unemployed or recently unemployed or do you have a close friend or family member presently unemployed or recently unemployed? Would that prevent you from serving as an impartial juror in this case?

20. Do you believe that a lawsuit must have some validity simply because the case is going to court?

21. Do you believe that a plaintiff, that is, a person who sues someone else, is automatically entitled to recover money damages just because he or she brought a lawsuit?

Respectfully submitted,

**OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.**

/s/ W. Scott Hardy

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Counsel for ClosetMaid Corporation

Dated: December 13, 2013

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing DEFENDANT'S PROPOSED ADDITIONAL *VOIR DIRE* was filed electronically on December 13, 2013. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ W. Scott Hardy

Counsel for Defendants